

CITY OF SOUTH AMBOY
PLANNING BOARD
REGULAR MEETING/MINUTES
MAY 28, 2014

Members present: Michael Wilday, Mayor Henry, Councilwoman Noble, Thomas Kelly, James Riehl, Richard Moran, Francis Mulvey, Peggy Scarillo, Bette Leibowitz

Members absent: Frank Milatta, Robert Paulukiewicz, Darcy McCabe-Brew

Also present: Angelo Valetutto, P.P., P.E.; Andrew Brewer, Esq.

Meeting was called to order followed by the salute to the Flag.

Chairman Wilday stated adequate notice of this meeting has been provided under "The Open Public Meeting Act" by advertisement.

Roll call was taken at this time.

Motion by Richard Moran seconded by Peggy Scarillo to accept the Minutes of the April 30, 2014 meeting. Motion carried 8-0.

Completeness Committee

Completeness Committee member Peggy Scarillo stated there are two applications before the Committee this evening.

Application #349-14 for Southeast Sayreville Development Corporation has been reviewed and deemed complete subject to the requirements listed in the AJV Engineering correspondence of May 6th and May 16th, 2014 respectively. Motion by Richard Moran, seconded by Peggy Scarillo and carried 3-0.

Application #347-14 for Perone Development has been reviewed and deemed incomplete. Peggy Scarillo motioned that the application be sent back to the development agency for further clarification. Motion by Richard Moran, seconded by Peggy Scarillo and carried 3-0.

At this time, Chairman Wilday made a slight change in the agenda by moving the resolutions up front so that the professionals have sufficient time to present their cases on their applications.

Resolution – Angelica Medina & Jacqueline R. Kasai Application #349-14

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution as written. Motion carried 6-0, 3 abstentions.

Resolution – Joseph Madura Application #344-14

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution as written.

Motion carried 6-0, 3 abstentions.

Resolution – Hany Gemian and Samer Abdelmeseh Application #345-14

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution as written.

Motion carried 6-0, 3 abstentions.

Resolution – First Pointe, LLC Application #348-14

Motion by Peggy Scarillo, seconded by Richard Moran to accept the resolution as written.

Motion carried 6-0, 3 abstentions.

Enterprise Electric Inc. – Application #342-14

Prior to hearing the case, Chairman Wilday confirmed with counsel that we have jurisdiction due to concern about a notice. Counsel confirmed jurisdiction.

(Transcript attached)

Salvatore Ilardi Jr. of 409 Parker Avenue was sworn in and stated his concerns. Chairman Wilday explained to Mr. Ilardi that he has an avenue in which to make formal complaints.

Motion by Francis Mulvey, seconded by Bette Leibowitz to close this application to the public.

Motion carried 9-0.

Motion by James Riehl, seconded by Peggy Scarillo to approve the application subject to receipt of revised drawings within 14 days, parking reduced from 18 to 16 spots, closing of the loading dock and storage increased to 800 square feet. Applicant also must keep commercial and residential areas separate. Motion carried 6-0. 3 abstentions.

Southeast Sayreville Development Corporation – Application #349-14

After discussions with objector Cambridge Pavers' counsel, applicant's attorney requested that the hearing be adjourned and carried to next meeting. Mr. Brewer noted that notice was proper and can be carried to June meeting. The board accepted jurisdiction and agreed to carry to June 25 meeting.

(Transcript attached)

Lidia Aworys-Ornafa – Application #346-14

Ms. Lidia Awdrys-Ornafa and business partner Ms. Joanna Moczulski were sworn in.

Mr. Valetutto stated that he prepared a report on May 5, 2014 which was received by the applicant. Mr. Valetutto detailed the report which said that the use sought this evening is to utilize existing classrooms that were within the Sacred Heart Catholic Church for purposes of a daycare center. The reason why it's a use variance in a residential zone (RA zone) is because it's not a use being performed by the church itself. It's for private individuals. Just like the daycare center adjoining the town hall.

Mr. Valetutto said they're not looking for any expansion. Just looking for interior. The old classrooms will be utilized. If Mr. Kelly or his team comes in and says they need to be updated that would be the only thing they're looking to do. Ms. Moczulski agreed.

Mr. Valetutto said that the sketch says 100 cars but noted that's probably what is existing in the church parking lot.

Ms. Moczulski said they are only looking for three classrooms on one side of the hall and the other side of the hall is being used by Sacred Heart parish for other storage. She said she does not think they will handle much more than 70 kids in these three classrooms highlighted in yellow on the sketch provided with the application.

Mr. Valetutto asked where the exterior play area would be and how it would be secured. A survey is not provided. Ms. Moczulski said they would use the same play area that was used when Creative Kids existed there. There is an exit through the back right into the area which is adjacent to the rectory that they can use for outside recreation. The fence fell down with Sandy but will be replaced. Also there is an area out front that goes out to the garden of the rectory that they could also utilize.

Mr. Valetutto expressed his concern that the children are secured and all fenced in. Ms. Moczulski said that anything that is not fenced in will be fenced in and part of what they need to do and Father Stan said that he will take any steps needed to make this happen for us as well.

Mr. Valetutto noted to Chairman Wilday that the application was signed by the pastor to indicate that they are in support of the application.

Ms. Awdrys-Ornafa said that this pre-school will be Polish and English mostly concentrated on the Polish language. She is a teacher and Ms. Moczulski is a principal in the South Amboy public school which is where they got this idea. Ms. Awdrys-Ornafa noted that they are very in with the Polish population.

Mr. Valetutto confirmed that Ms. Awdrys-Ornafa enjoys the proper certification by the state. Ms. Awdrys-Ornafa said that she is a special education teacher with speech therapy and submitted her certification that was marked as exhibit A1. Chairman Wilday read the state certification.

Mr. Valetutto confirmed that Ms. Awdrys-Ornafa is properly certified with her teacher of the handicapped credentials.

Chairman Wilday asked if there will be a nurse on site and Ms. Moczulski said that the documentation she's read from the Department of Childcare Services does not indicate that a nurse is required for pre-K. She was told by DCS that before they do anything they needed to find the space first then they would talk to us.

Chairman Wilday noted that approval is contingent upon meeting all state requirements and zoning and ordinances as required.

Mr. Riehl noted that there was an issue date but no expiration date on Ms. Awdrys-Ornafa's teaching certification asked if it has an expiration date. Ms. Awdrys-Ornafa said that is standard and that they don't expire. Mayor Henry noted that's what his teaching certification says also.

Mr. Kelly asked the ages of the children to which the applicants responded that the children are 2.5 to 4 years old.

Mr. Kelly confirmed that there will be a total of three classrooms and a bathroom. Ms. Moczulski reiterated that they will be serving 60-70 children. She also stated that all of the classrooms are connected and each classroom has double doors meeting the state requirement for two ways in and two ways out. Ms. Awdrys-Ornafa said that they were going to add hard floor and really make the rooms nice.

Mr. Riehl asked if there would be any cooking or food preparation on site. The applicants said no food would be prepared on site, just a big refrigerator, and the children would bring in their food due to allergy restrictions, etc. Plus she said the liability is lower.

Mr. Moran inquired about the hours of operation. Ms. Moczulski said that it likely will be early morning until 5-6 p.m. five days per week. No weekends and would not conflict with the parish's operations.

Chairman Wilday opened the discussion to the public.

Bob Pawlik of 511 Augusta Street was sworn in. He requested clarification between the terms daycare and school and asked what this was going to be. The applicants clarified that it would be a preschool. Mr. Pawlik then asked why the term center was used in the notice he received.

Mr. Valututto clarified that the applicant intends to use three classrooms serving 60-70 children.

Mr. Reihl stated that the application was presented to the board for a Polish American Preschool, has nothing to do with center, and added that the space was previously used for Creative Kids Center. The center may have been put in because of that.

Mr. Pawlik asked if there was a lease and how long a term they are referring to. Mr. Valututto noted that any action this board takes goes with the land/property. If the board grants approval tonight, that's the use that's approved. If the applicant leaves for any reason that is still the use approved for that space. The timeframe is not something that this board considers.

Mr. Pawlik asked if the other rooms are separated from where the children are going to be or can someone else come along and use the other classrooms while the children are there. Mr. Kelly responded saying that yes, someone can use the space but they would be required to comply with all rules, regulations and requirements set forth by the division of Youth and Family Services and be subject to annual state inspections.

Mr. Kelly elaborated saying that if the church proposes to deviate from the last known use, they would need to get permission from the zoning officer, the building department or perhaps this board depending upon what they are proposing to do. But as of right now, the application only affects these three classrooms. When they go to the state, the Division of Youth and Family Services will monitor the entire structure.

Mr. Pawlik expressed concern about children being dropped off at 6 a.m. and the applicant clarified that the preschool would open at 7 a.m.

Motion by Peggy Scarillo, seconded by Richard Moran to close this application to the public. Motion carried 9-0.

Motion by Bette Leibowitz, seconded by Peggy Scarillo to approve the application as a benefit to the community, the children and a good moral compass based on the testimony. Mr. Brewer added that approval be subject to a maximum of 70 students open from 7 a.m. to 6 p.m. Motion carried 7-0. 2 abstentions.

Application Forms

Mr. Valetutto stated the application forms have been updated. There are a few minor items to put into the record. We now will put the packages together to begin using with new applicants. Mr. Reihl expressed is satisfaction with the new application packet. Mr. Valetutto noted that future changes will be faster and easier now that the documents are in electronic form.

Appointments

Motion by Peggy Scarillo, seconded by James Reihl to appoint Stacey Kennedy as the new Planning Board Secretary. Motion carried 9-0.

Chairman Wilday welcomed Stacey Kennedy and thanked Linda Garnett for all of her years of service to the board.

Chairman Wilday opened the meeting to the public. There was no public wishing to speak.

Motion by Bette Leibowitz, seconded by James Riehl to close the public portion of the meeting. Motion carried 9-0.

Motion by Peggy Scarillo, seconded by James Riehl to adjourn. All in favor.

Stacey Kennedy